

ARTICLES of IMPEACHMENT  
OF  
HIGH TREASON  
AND

*Other high Crimes, Misdemeanours and Offences,  
against THOMAS Earle of DANBY  
Lord High TREASURER of  
ENGLAND.*

*As they were delivered into the House of Lords in the  
Name of the Commons of England, by Sir  
Henry Capel, December 23. 1678.*

*Together with a Letter of the Lord Treasurers to Mr.  
Montague, late Ambassador in France.*

## I.

**T**Hat he hath Traiterously encroacht to himself Regall Power, by treating in matters of Peace and War with Forreign ministers, and Embassadors, and giving Instructions to his Majesties Embassadors abroad, without communicating the same to the Secreraries of State and the rest of his Majesties Counsel, against the expresse Declaration of his Majesty and his Parliament, thereby intending to defeat and overthrow the Provision that has been deliberately made by his Majesty and his Parliament for the Safety and Preservation of his Majesties Kingdoms and Dominions.

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## II.

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That he hath Traiterously endeavoured to subvert the Antient and well established Form of Government in this Kingdom, and instead thereof to introduce an Arbitrary and Tyrannical way of Government; and the better to effect this his purpose he did design the raising of an Army upon pretence of a War against the *French* King, and to continue the same as a Standing Army within this kingdom; And an Army being so raised and no War ensuing, an Act of Parliament having past to pay and disband the same, and a great sum of money being granted for that end, he did continue the Army contrary to the said Act, and misemployed the said money given for the disbanding, to the continuance thereof, and Issued out of his Majesties Revenues divers great sums of money for the said purpose, and wilfully neglected to take Security of the Pay-masters of the Army, as the said Act required, whereby the said Law is eluded, and the Army is yet continued to the great danger and un-necessary charge of his Majesty and the whole Kingdom.

## III.

That he Traiterously intending and designing to Alienate the hearts and affections of his Majesties good Subjects from his Royal Person and Government, and to hinder the meeting of Parliaments, and to deprive his Sacred Majesty of their safe and wholsom Counsel, and thereby to alter the Constitution of the Government of this Kingdom, did propose and negotiate a Peace for the *French* King, upon terms disadvantageous to the Intrest of his Majesty and his Kingdoms, for the doing whereof he did endeavour to procure a great sum of money from the *French* King for enabling him to maintaine and carry on his said traterous designs and purposes, to the hazard of his Majesties Person and Government.

## IV.



## IV.

That he is Popishly affected, and hath Traiterously concealed (after he had notice) the late horrid and bloody Plot and Conspiracy, contrived by the Papists, against his Majesties person and Government: and hath suppressed the Evidence, and reproachfully discountenanced the Kings Witnesses in the Discovery of it, in favour of Popery, immediately tending to the destruction of the Kings sacred Person and the Subversion of the Protestant Religion.

## V.

That he hath wasted the Kings Treasure, by Issuing out of his Majesties Exchequer, and several Branches of his Revenue for unnecessary Pensions and secret Services, to the value of 231602 $\frac{1}{2}$  within two years, and that he hath wholly diverted out of the known Method and Government of the Exchequer one whole Branch of his Majesties Revenue to private Uses, without any account to be made of it to his Majesty in his Exchequer, contrary to the express Act of Parliament, which granted the same, and he hath removed two of his Majesties Commissioners of that part of the Revenue, for refusing to consent to such his unwarrantable actions therein, and to advance mony upon that branch of the Revenue for private uses.

## VI.

That he hath by Indirect means procured from his Majesty to himself divers considerable Gifts and Grants of Inheritance, of the Antient Revenue of the Crown, even contrary to Acts of Parliament.

For which matters and things the Knights, Cittizens and Burgesſes of the Commons in Parliament, do in the name of themſelves, and of all the Commons of *England*, Impeach the ſaid *Thomas* Earl of *Danby*, Lord High Treasuſer of *England*, of HIGH TREASON, and other high Crimes, Miſdemeanors and Offences, in the ſaid Articles contained: And the ſaid Commons by Proteſtation, ſaving to themſelves the liberty of exhibiting at any time hereafter any other Accuſation or Impeachment againſt the ſaid Earl, and alſo of Replying to the Answers which the ſaid *Thomas* Earl of *Danby* ſhall make to the Premiſſes, or any of them, or any Impeachment or accuſation that ſhall be by them Exhibited, as the Cauſe (according to Courſe and Proceedings of Parliament) ſhall require; Do pray that the ſaid *Thomas* Earl of *Danby* may be put to Answer all and every the Premiſes, that ſuch Proceedings, Tryals, Examinations and Judgments may be upon them, and every one of them, had and uſed, as ſhall be agreeable to Law and Juſtice, and that he may be ſequeſtered from Parliament, and forthwith committed to ſafe Cuſtody.

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The



*The Lord TREASURERS Letter to Mr. Montague,  
the KING'S Lite Embassidour in France,  
March 25th. 1678.*

*My Lord,*

Since my writing to you by Mr. *Brisban*, the Resolves have been altered as to the sending you Instructions (as yet) for the proposing any thing to the *French King* for the Particulars which will be consented to on the part of the Confederates (and of which this is a Cappy) will be communicated to you by Mr. Secretary *Coventry*, but you will have no other direction from him about them but only thereby to be enabled to find the Pulse of the King or his Ministers, at least against the time that you shall receive Orders to make the Proposals, to him. That you may know from whence the nicety of that Affair proceeds, it is necessary to inform you, That for fear of its being illresented by the Parliament here, the King will not make any Proposal at all of peace, unless he shall be prest to it by the Confederates: And although, by Mr. *Godolphin* he is sufficiently informed, that they desire a Peace upon the Articles sent you by the Secretary, yet not having received that desire formally, the Council will not advise his Majesty to let his Ambassador propose that which he is not formally impowred to make good; and so by staying for that formal Power, which by Letter his Majesty is sufficiently enabled to propose, the time will be lost for effecting the Peace, if at all it can be had. To supply this defect then, and to prevent the Kings sending again into *Holland* before he know the mind of *France*, I am Commanded by his Majesty to let you know, that you are to make the Propositions inclosed to  
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the King of *France*, and to tell him, the King will undertake for the seeing them made good on the part of *Spain*, and *Holland*, in case they shall be accepted by him. *And in your Answer you must write the same thing to the Secretaries by way only of having felt the King of France his Pulse, which you must do to the King as a full Answer from the King of France, and such an one as his Majesty may depend upon whatever that shall be.* For the more dexterous management of this Affair, the King is advised to shew these Propositions to *Monsieur Berrillon*, but not to give him a Coppy, so that by the strength of memory it is expected he shall write to his Master, and by that means only are we to hope for an Answer to a matter of this vast importance. And consequently you may imagine what a satisfaction we are like to reape from it when it comes. I doubt not but by your Conduct it will be brought to a *speedy Issue*; which is of as great importance as the thing it self, there being no condition worse for his Majesty, than his standing unresolved betwixt Peace and War. I find by *Monsieur Barrillon*, That is is like some places which are dependances upon greater Towns may be demanded by the K. of *F.* but if he intend a Peace (which you will do very well to know his mind fully in) you may justly say, that you hope he will neither stand upon one single place, tho a Fortified one, nor upon any place unfortified, which is a dependant upon those which are to be restored to *Spain*. And if any thing shall be moved about *Sicily* to remain in the *French* hands until the Peace of *Sweden* be concluded, You are only to say, that you are not impowred to say any thing upon it: And you are confident the King hath done all he could to get the utmost Conditions that would be consented to: Only you are to say, the King hath again sent about *Conde*, not being well satisfied that they have not left in his power to give or refuse as he should have found it convenient, and hopeth still for some good Answer, *In case the Conditions*



ons of Peace shall be accepted, The King expects to have six Millions of Livers yearly, for three years, from the time that this Agreement shall be signed between his Majesty and the King of France: Because it will be two or three years before he can hope to find his Parliament in humour to give him Supplis, after the having made any Peace with France.

The Embassador here hath agreed to the sum, but not for so long a time. If you find the Peace will not be accepted, you are not to mention the money at all. And all possible care must be taken to have this whole Negotiation as private as possible, for fear of giving offence at home, when for the most part we hear in ten daies after, any thing that is communicated to the French Ministers. I must again repeat to you, that whatsoever you write on this Subject to the Secretary (to whom you must not mention one syllable of the money) you must say only as a thing you believe they will consent to if you had power formally to make these demands. Pray inform your self of the bottom of what is to be expected from France, and assure them that you believe this will be the last time that you shall receive any Propositions of a Peace if these be slighted, as indeed I believe it will: so that you may take your own Measures as well as the King upon it. I am

*Your Excellencies most faithful*

*and obedient Servant.*

March 25. 78.

DANBY.

FINIS.

## POSTSCRIPT

Now let it be noted that this very *Letter* was writ by the *Treasurer* in that very *Session* in the beginning whereof (the better to perswade the *Parliament* that our *Court* did really intend to make a war against *France*) he caused to be written and published a Book intitled *Christianismus Christianus*, in which he renders the *French King* as black as HELL it self. And after he had (by this and such like fallacies) prevailed with the *Parliament* to give mony to raise so great a *Navall* and *Landforce* to make an actual War with *France* (as the *Title* and *Body* of the *Pole Bill* declares) He doth as you see but 5 daies after the passing the same in a clandestine way (though to the violating the *Royal word* and *Faith* of the *Nation*) labour to strike up a *Peace* and obtain such vast summes of mony from the *French King* (whom he thought the terour of our *Armes* would now oblige to grant any thing) As he might thereby be enabled to alter and change the *legall* and *Ancient Government* of *England*. By laying aside *Parliament's* (as ill humoured things) And introducing an absolute power by a fixed standing *Army*.

How well this man hath deserved of his Country. And whether the *Justice* of the *Nation* can be satisfied till he be made as great an Example in *Punishment* as he hath been in mischief. Let all men Judg.



